

1964

persuade our allies to adopt similar controls. There was a time when administration leaders shared this view. When the Trade Expansion Act was before the Congress in 1962, they claimed that one of its principal aims was to wage economic war against the Communists. One of the three purposes specifically stated in the bill is "to prevent Communist economic penetration." The examples of congressional attempts to choke communism economically are many, but it appears that the administration wishes to ignore these desires.

As we observe another Captive Nations Week, we must think carefully on these things and decide whether this policy of increased trade with the Communist bloc is really the answer we are seeking when we think of the paths of freedom open to our friends and relatives in nations held captive by communism.

Let us go forth this year united in a reaffirmed hope, with a replenished spirit, and with a recommitment to the proposition that this Nation is politically, legally, and morally bound to exert its constant efforts and resources to the re-establishment of freedom and independence in those areas held captive by Soviet communism.

CHANGE IN IMMIGRATION LAW NEEDED TO FACILITATE ENTRY OF SKILLED AND PROFESSIONAL PEOPLE

Mr. HART. Mr. President, one of the many reasons for the broadly based support for immigration reform, is the growing recognition that new legislation is needed to facilitate and encourage the entry of selected skilled and professional persons who can help meet urgent manpower needs and contribute directly to the development of our society.

A case in point is the continuing need for highly skilled health research specialists. Several days ago the President's Commission on Heart Disease, Cancer, and Stroke, issued a significant resolution. It recommended in part, "that the immigration laws should be so revised as to facilitate the immigration and naturalization of scientists and physicians who can make special contributions to the intellectual resources of the Nation."

S. 1932, now pending in the Judiciary Subcommittee on Immigration and Naturalization, would accomplish the recommendation of the President's Commission. It is the bill I introduced nearly a year ago, on behalf of myself and 26 other Senators, to carry out the legislative recommendations of Presidents Kennedy and Johnson.

In an article for the New York Times of July 5, 1964, Dr. Howard A. Rusk comments on the Commission's resolution, and makes these sensible observations:

Medical science should have no international boundaries. Highly skilled research workers should have the opportunity of conducting their studies in the best available environment. Our present immigration policies by denying many this opportunity hinder

the possibilities of research advances that might be of great value not only to our own Nation but also to the entire world.

Mr. President, I ask unanimous consent that Dr. Rusk's article be made a part of my remarks at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CHANGE IN IMMIGRATION—PRESIDENT URGES
EASING OF STRICTURES ON LETTING SKILLED
SCIENTISTS STAY IN UNITED STATES

(By Howard A. Rusk, M.D.)

After hearing preliminary reports by a subcommittee on manpower, the President's Commission on Heart Disease, Cancer, and Stroke took its first official action last Tuesday.

It issued a resolution urging a change in immigration laws to facilitate immigration of highly skilled health research specialists.

Each year several thousand research scientists from abroad come to the United States on visitors' exchange visas. Such persons can stay in the United States only 5 years.

Should they wish to immigrate to the United States and take up permanent residence, they must leave the country and not reenter for 2 years.

The action of the President's Commission was taken the day before hearings were to begin in the House Judiciary Committee to amend the immigration laws.

One of the proposed changes would permit increased numbers of highly skilled persons to immigrate into the United States.

The committee is headed by Representative MICHAEL A. FEIGHAN, Democrat, of Ohio.

A KENNEDY MEASURE

The bill being considered is an administrative proposal introduced by Representative EMANUEL CELLER, Democrat, of Brooklyn, at President Kennedy's request a year ago. It was reintroduced in January at the request of President Johnson.

The bill would establish an immigration board that would make continuous studies of such conditions within and without the United States that might have any bearing on our Nation's immigration policies.

After consultation with the appropriate Government agencies, the board could recommend changes in admission policies to the Attorney General.

The bill specifically mentions consultations with the Secretary of Labor, State, and Defense, but for some strange reason does not include the Secretary of Health, Education, and Welfare.

Inclusion of the latter is particularly important if the objectives recommended by the President's Commission on Heart Disease, Cancer, and Stroke are to be realized.

THE CURRENT POLICY

Under current policies and procedures, foreigners in the United States on visitors' exchange visas may petition to be granted permanent visas.

The Department of Justice then asks the appropriate Government agency for its recommendations.

From 1957 to 1963, 985 such requests were acted upon by the Department of Health, Education, and Welfare. Of these, 234 were persons holding positions in research and teaching in colleges and universities.

Six hundred and eighty-five were physicians, most of whom were engaged in research or teaching.

Under the current policies and criteria, only 207 of these 985 applications could be approved.

This meant that many highly skilled re-

search workers were forced to return to their own countries, where they lacked the facilities and equipment to continue their important research efforts.

ONE PROJECT HALTED

One distinguished professor of biochemistry told the President's Commission that his first assistant, who is engaged in a most promising highly sophisticated research project, will be forced to leave the country within the next few months.

Since he cannot be replaced by an American, the research project will come to a halt. The scientist will either return home where he has no facilities, equipment, or funds and will waste his time, or will emigrate to another country. Many such persons who are forced to leave the United States go to Canada.

This same story has been repeated many times since.

Under the new legislative proposals, such persons could be admitted to the United States on permanent visas.

It is because of this that the President's Commission unanimously adopted and forwarded to the President its resolution, pointing out that "scientific research is of universal and international benefit."

THE RESOLUTION

The resolution continues:

"Contemporary research requires facilities and equipment of great cost as well as organization of great complexity.

"Such facilities and research environments are often more readily available in the United States than in other countries.

"Gifted scientists who are foreign nationals but who have received extensive training in the United States are normally compelled to return to their own countries to the considerable detriment of their careers, the loss of their potential scientific contributions, and to the permanent injury of the research on which they are engaged."

In view of this, the Commission recommended that foreign scientists and physicians of demonstrated accomplishment or recognized potential should be given indefinite extension of their visas.

It also recommended "that the immigration laws should be so revised as to facilitate the immigration and naturalization of scientists and physicians who can make special contributions to the intellectual resources of the Nation."

A MORE MODERN VIEW

The bill would also regard epilepsy, mental illness and mental retardation in a more modern light.

At present, it is impossible for a person with a history of any of these conditions to be admitted to the United States. This connotes an official Government attitude that such conditions are hopeless, which simply is not true in terms of modern medical knowledge.

The United Epilepsy Association, for example, reports that 50 percent of the estimated total of 1,854,000 persons in the United States with epilepsy are so amenable to modern medical treatment that all manifestations of their problem can be completely eliminated.

Medical science should have no international boundaries.

Highly skilled research workers should have the opportunity of conducting their studies in the best available environment.

Our present immigration policies, by denying many this opportunity, hinder the possibilities of research advances that might be of great value not only to our own Nation but also to the entire world.

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CONGRESSIONAL RECORD — SENATE

July 9

CAPTIVE NATIONS WEEK—A FREEDOM OFFENSIVE IS NEEDED NOW

Mr. HART. Mr. President, President Johnson has proclaimed the week of July 12, 1964, as Captive Nations Week. It is a good time to refresh our minds of the havoc wrought by international communism, and to renew our energies on behalf of the millions of citizens in the captive nations of Eastern Europe. Years have passed but their hope for freedom and national independence remains alive, as indeed it must; for it is a natural yearning of all mankind.

America's responsibility in this situation is clear. As the chief guardian of liberty, with strong family ties to the people of Eastern Europe, we must mount an offensive to support the hope of the captive peoples and encourage their faith that the future holds out the substance of freedom and national independence.

In my book, Mr. President, this offensive goes beyond an annual celebration of Captive Nations Week. It goes beyond the passing of freedom resolutions and the giving of stirring speeches. It must also include a prudent use of diplomacy, trade, and cultural exchange—in the interests of a peacefully evolution of freedom and national independence within the captive nations of the Soviet bloc.

New opportunities are opening up daily in this area. Eastern Europe is no longer a monolithic structure under the exclusive tutelage of the Soviet Union. The captive peoples are beginning to stir in a courageous and valiant way. They are thinking once again in terms of their individual national destinies. They are expressing a desire for a measure of freedom and a better way of life, for a more open society and comfort. And the Communist leaders are coming to terms with their people by preaching national independence and offering modest political and economic concessions. The Polish way is rubbing off on neighboring countries. Nationalism is replacing satellitism in Eastern Europe, opening new doors for the West.

It is the wise judgment of the present administration, just as it was the judgment of Presidents Kennedy and Eisenhower, that the best thing we can do for the peoples of Eastern Europe—short of a liberation war no thoughtful person desires—is to encourage them to maintain their national identities and to develop their economic independence from the Soviet Union.

Certainly, Mr. President, there are risks involved in this course of action—I would be the first to admit it. And, to be sure, the devices by which the Communist hierarchy continues to rule are still intact. As a system of exerting power, communism is very efficient, indeed—even if its economic system has many defects. But changes are afoot; the potential for bending these changes to the cause of freedom exists, a potential which challenges the creativity and ingenuity of the free world.

The Attorney General's recent trip to Poland reminds us of the undying spirit of the Polish people and their fellowmen behind the Iron Curtain. My own visit

to Poland gave similar experiences, which I shall never forget.

Let us not, Mr. President, permit this spirit to languish in a wasteland of inactivity by the United States. Hopefully, we have the good sense to exert the responsible leadership we claim is ours, and work with the captive peoples to make their hope for freedom an ever-increasing reality. Captive Nations Week reminds us of our task.

Mr. MANSFIELD. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

DUAL EMPLOYMENT AND DUAL COMPENSATION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate and be made the pending business.

The PRESIDING OFFICER. Without objection, the Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H.R. 7381) to simplify, modernize, and consolidate the laws relating to the employment of civilians in more than one position and the laws concerning the civilian employment of retired members of the uniformed services, and for other purposes.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSTON. Mr. President, I am chairman of the committee to which the bill was referred; but the bill was handled by the subcommittee of which the Senator from Texas [Mr. YARBOROUGH] is chairman. That subcommittee held the hearings, and the Senator from Texas is very familiar with the subject. For that reason, I have asked him to handle the bill on the floor of the Senate.

Mr. YARBOROUGH. Mr. President, this bill is the product of approximately 9 years' careful study by various agencies of Government, the Civil Service Commission, and the Committees on Post Office and Civil Service of the House and Senate. It is a major reform in the laws affecting the employment of all retired military persons. Heretofore, some 50 statutes and more than 200 decisions by the Comptroller General have regulated personnel actions in regard to these people. This proposed law completely replaces all of those statutes and decisions, some of which are nearly a century old. It is of vital importance to the U.S. Government that this bill be favorably considered by the Senate.

In 1894, Congress declared that the general policy of the Government regarding the employment of retired military persons would be that no retired officer receiving an annuity amounting to \$2,500

a year could be employed. At that time, \$2,500 was a lot of money. Today a retired master sergeant receives about that much money. The law is clearly antiquated. It is also riddled with exceptions, both statutory and administrative. Today, only regular commissioned officers and warrant officers who have retired for length of service rather than any kind of disability are excluded from employment. Enlisted men are completely exempted from the statutes. Reserve officers may work for the Government and receive both a civilian salary and their military retirement. While another civilian at the next desk performing the same duties and having the same qualifications is limited to \$10,000 total compensation merely because he was retired from the service for a non-combat physical disability. The laws presently existing are highly discriminatory and deprive the Government of the services of highly trained persons who could render valuable service in this atomic age. It is vital that this legislative be enacted.

H.R. 7381 was the subject of hearings before the Senate Post Office and Civil Service Committee on December 12, 1963. After careful consideration the bill was amended and reported to the Senate March 4, 1964.

The committee's amendments are designed to improve the House bill by eliminating section 205, which would, in essence, prohibit the employment of retired military personnel. Almost all witnesses appearing before the committee favored the elimination of this section. Mr. John W. Macy, Jr., Chairman of the U.S. Civil Service Commission, strongly endorsed the committee's action. The only other amendments are in regard to the employment of retired military persons in the legislative branch of the Government. These amendments are designed to continue our present employment policy in the House and Senate.

Mr. President, I urge the Senate to favorably consider and pass this bill. Our national defense, our continued research in science, our exploration of outer space, and all our other governmental activities require the talents of the most skilled people we can find. H.R. 7381 will assist us in our efforts to attain these goals.

Mr. JOHNSTON. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc, and that the bill, as amended, be considered as original text, for the purpose of amendment.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered; and the committee amendments are agreed to en bloc.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield for a question?

Mr. YARBOROUGH. I yield.

Mr. WILLIAMS of Delaware. Do I correctly understand that under the bill a retired officer or anyone retired from the military service, who had 20 or 30 years' military service, could continue to draw retirement pay if he obtained a job under civil service, at, let us say, \$15,000